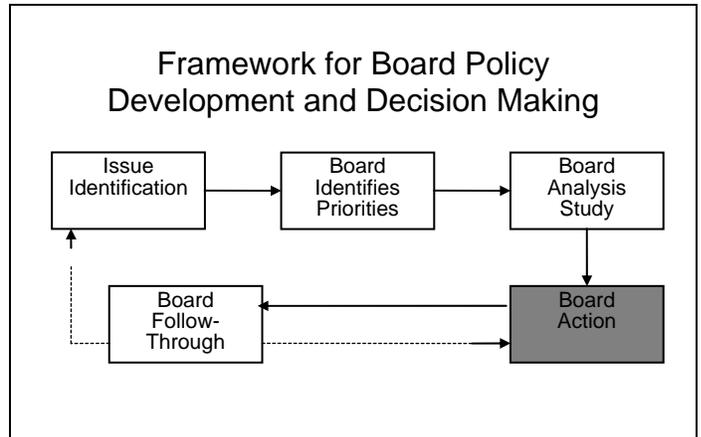


Iowa State Board of Education

Executive Summary

July 31, 2008



Agenda Item: Chapter 17 rules, Open Enrollment (Notice)

Iowa Goal: (2) All K-12 students will achieve at high levels, prepared for success beyond high school.

Equity Impact Statement: All school districts are governed by the open enrollment law and its rules.

Presenter: None (Consent)

Attachments: 1

Recommendation: It is recommended that the State Board give public notice of its intent to amend this chapter.

Background: 2008 Iowa Acts, House File 2700, section 108 changed the funding formula for students enrolled in a home school assistance program from .6 per pupil funding to .3 per pupil finding. In addition, the amendment to subrule 17.10(6) clarifies a misunderstanding about the phrase “number of quarters.” School districts may not lawfully pay for services not rendered; all tuition of any type is prorated to the day of service. The reference to quarterly (“Quarterly payments shall be made to the receiving district.”) in Iowa Code section 282.18, subsection 9, refers to when payments are made from one district to another; it does not refer to the amount or how to calculate such payments. Striking the reference to quarters in the subrule allows to department to give clearer guidance on this to districts. Finally, subrule 17.10(2) is amended to clarify which district counts home schooled pupils who are dually enrolled.

EDUCATION DEPARTMENT [281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 17, "Open Enrollment," Iowa Administrative Code.

2008 Iowa Acts, House File 2700, section 108 changed the funding formula for students enrolled in a home school assistance program from .6 per pupil funding to .3 per pupil finding. In addition, the amendment to subrule 17.10(6) clarifies a misunderstanding about the phrase "number of quarters." School districts may not lawfully pay for services not rendered; all tuition of any type is prorated to the day of service. The reference to quarterly ("Quarterly payments shall be made to the receiving district.") in Iowa Code section 282.18, subsection 9, refers to when payments are made from one district to another; it does not refer to the amount or how to calculate such payments. Striking the reference to quarters in the subrule allows to department to give clearer guidance on this to districts. Finally, subrule 17.10(2) is amended to clarify which district counts home schooled pupils who are dually enrolled.

An agency-wide waiver provision is provided in 281—chapter 4.

Interested individuals may make written comments on the proposed amendments on or before September 16, 2008, at 4:30 p.m. Comments on the proposed amendments should be directed to Carol Greta, Iowa Department of Education, 2nd floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-8661; e-mail carol.greta@iowa.gov ; or fax (515)281-4122.

This amendment is intended to implement 2008 Iowa Acts, House File 2700, section 108.

The following amendment is proposed.

ITEM 1. Amend rule **281—17.10(282)** as follows:

281—17.10(282) Method of finance. Open enrollment options shall be made available for pupils at no instructional cost to their parents/guardians. Open enrollment pupils shall be considered enrolled resident pupils in the resident district and shall be included in the certified enrollment count of that district for the purposes of generating school foundation aid.

17.10(1) No change.

17.10(2) Dual enrolled pupils. Unless otherwise agreed to in the mediation under paragraph 17.4(6)"b," for pupils who receive competent private instruction and are dual enrolled, the resident district shall pay each year to the receiving district an amount equal to .1 times the state cost per pupil for the previous year plus any moneys received for the pupil as a result of non-English speaking weighting provided by Iowa Code section 280.4. However, a pupil dual enrolled in grades nine through twelve shall be counted by the receiving district in the same manner as a shared-time pupil under Iowa Code section 257.6(1)"c."

17.10(3) Home school assistance program pupils. Unless otherwise agreed to in the mediation under paragraph 17.4(6)"b," for pupils who receive competent private instruction and are registered for a home school assistance program, the resident district shall pay each year to the receiving district an amount equal to ~~-.6~~ .3 times the state cost per pupil for the previous year plus any moneys received for the pupil as a result of non-English speaking weighting provided by Iowa Code section 280.4.

17.10(4) to 17.10(5). No change.

17.10(6) Partial-year situations. In the event that the pupil who is under open enrollment withdraws from school, moves into the district of attendance, moves out of state, moves to another district in the state of Iowa and elects to attend that district, graduates at midyear, is allowed to return to the district of residence during the school year, or other similar set of circumstances that result in the pupil no longer attending in the receiving district, payment of cost per pupil will be prorated ~~based on the number of quarters of school enrollment.~~